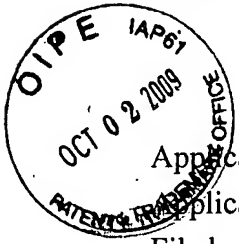


Date of Deposit: October 2, 2009

10-5-09
Attorney Docket Number: 21465-508001US *JTW*



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/767,899 Confirmation No. 6163
Applicants : Jan **BERKA**, *et al.*
Filed : January 28, 2004
TC/A.U. : 1637
Examiner : David C. **THOMAS**
Docket No. : 21465-508001US
Customer No. : 35437
For : **BEAD EMULSION NUCLEIC ACID AMPLIFICATION**

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present non-provisional patent application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages);
2. Modified Form 1449/PTO (1 page);
3. Cited Reference A23; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due to the undersigned's account, Deposit Account No. No. **50-0311**, Reference No. **21465-508001US**, Customer No. **35437**.

Respectfully submitted,

Date: October 2, 2009

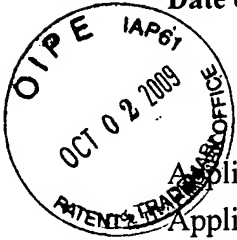
Michelle A Iwamoto

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Express Mail Label No.: EM266573605US

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the document listed on the attached modified Form PTO-1449 in the above-identified application. In accordance with MPEP §609(III)(A)(2), a copy of the cited U.S. publication is not required.

Applicants hereby certify, as specified in 37 C.F.R. §1.97(e), that the item of information contained in this Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than thirty (30) days prior to the filing of this Supplemental Statement. Accordingly, no fee or certification is believed due under 37 C.F.R. § 1.97(e)(1).

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

Applicants: Jan Berka, *et al.*
U.S.S.N.: 10/767,899
Express Mail Label No.: EM266573605US
Date of Deposit: October 2, 2009

Attorney Docket Number: 21465-508001US

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **21465-508001US**, Customer No. **35437**.

Respectfully submitted,

Date: October 2, 2009

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